



Advocates for Workplace Fairness

June 29, 2017

Via ECF

Honorable Loretta A. Preska
United States Courthouse
500 Pearl St.
New York, NY 10007-1312

Re: Hardy, et al v. Kaszycki & Sons, et al
1:83-cv-06346-LAP

Dear Judge Preska:

I write your Honor concerning the Second Circuit's remand to you as the successor to the Honorable Thomas P. Griesa with regard to its Summary Order of June 15, 2017 in case number 16-3273. Among other things, that order discusses the fact that the District Court no longer has copies of two of the documents that Time Inc. and The Reporters Committee for Freedom of the Press sought to have unsealed and therefore the Circuit Court refrained from ruling on the unsealing request as it pertained to them.

Along with Wendy Sloan, who no longer is practicing law, I represented the Hardy plaintiffs and the class they represented before Judge Griesa when the case was settled. Recently, I reviewed a part of Ms. Sloan's file with her as it pertained to the settlement. As a result, I write this letter to report to you, with Ms. Sloan's consent, that in fact she has the missing transcript and brief referred to by the Court of Appeals in her possession.

Ms. Sloan informs me that at all times these documents have remained in her possession and that she kept them confidential. As we informed Judge Griesa in my letter dated August 23, 2016, we know of no privacy reason why these documents should not be unsealed.

Ms. Sloan respectfully requests that Your Honor instruct her how to handle these documents at this time. She will, of course, keep these documents confidential pending your direction. Ms. Sloan also respectfully asks that you communicate any directions you wish to give her through me at the below address.

Respectfully yours,

A handwritten signature in black ink, appearing to read "Lewis M. Steel".

Lewis M. Steel
Senior Counsel

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